

COMMITTEE ON LAND USE
(Standing Committee of Berkeley County Council)

Chairman: Mr. Milton Farley, District No. 1

A **meeting** of the **COMMITTEE ON LAND USE**, Standing Committee of Berkeley County Council, was held on **Monday, June 14, 2004**, in the Assembly Room of the Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 7:42 p.m.

PRESENT: Mrs. Judith K. Spooner, Council Member District No. 2, Acting Chairman; Mr. William E. Crosby, Council Member District No. 3; Mr. Charles E. Davis, Council Member District No. 4; Mrs. Judy C. Mims, Council Member District No. 6; Mr. Caldwell Pinckney Jr., Council Member District No. 7; Mr. Steve C. Davis, Council Member District No. 8; Mr. James H. Rozier, Jr., Supervisor, ex officio; Mr. D. Mark Stokes, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council. Mr. Milton Farley, Council Member District No. 1, Chairman, and Mr. Dennis L. Fish, Council Member District No. 5; were excused from this meeting.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

During periods of discussion and/or presentations, minutes are typically condensed and paraphrased.

Acting Chairman Spooner called the meeting to order.

A. Consideration prior to First Reading of the following:
(Planning Commission Meeting – May 18, 2004)

1. Request by Charles Middleton for Goose Creek Industrial Investors, Highway 52, TMS #224-00-01-001, (87.36 acres total) **from HI, Heavy Industrial District, to R-4, Multi Family District, Small Scale, (37.36 acres), and LI, Light Industrial District, (50.0 acres).** Council District No. 3.

[Recommended **denial** by Staff]

[Recommended **denial** by Planning Commission]

Acting Chairman Spooner stated that, with regard to Agenda Item **A.1**, the applicant had requested for it to be held in Committee.

Council Member Crosby asked why Agenda Item **A.1** was being held in Committee.

Acting Chairman Spooner responded that Staff and the Planning Commission had denied this request.

Supervisor Rozier stated the County's Economic Development objected to this request at the Planning Commission Meeting. The applicant wanted an opportunity to talk with John Scarborough, but they were unable to meet this week.

Council Member Crosby stated that he preferred denying this request versus holding it in Committee. He was in disagreement with multi-family housing being at that location.

Mr. D. Mark Stokes stated a motion by a Committee Member to deny this request would be in order if it was seconded.

Supervisor Rozier stated that was unprecedented, because when anyone asked for a project to be held, the Committee had always complied.

Mr. Stokes concurred with Supervisor Rozier.

Council Member Mims asked where the property was located.

Supervisor Rozier stated the property was located across the street from the Mount Holly Industrial Park. The applicant had asked why the Economic Development staff had opposed it. The Economic Development staff was not present to meet with the applicant, and Supervisor Rozier told the applicant that the request would be held until staff was available.

It was moved by Council Member Crosby and seconded by Council Member Mims to deny the request by **Charles Middleton** for Goose Creek Industrial Investors. The motion was passed by unanimous voice vote of the Committee.

2. Request by L. B. Corbett, Jr. and Karen Dewitt, 1359 State Road, Summerville, TMS #209-06-00-026 (1.91 acres), from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial District. Council District No. 4.

[Recommended **approval** by Staff]

[Recommended **denial** by Planning Commission]

3. Request by David Cooper, 2112 Hummingbird Lane, Summerville, TMS #207-00-01-012 (2.0 acre portion, 11.71 acres total) from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial District. Council District No. 7.

[Recommended **denial** by Staff]

[Recommended **denial** by Planning Commission]

Acting Chairman Spooner stated that, with regard to Agenda Items **A.2 and A.3**, the applicants had withdrawn their requests.

(Planning Commission Meeting June 1, 2004)

4. Request by Anna Bell Frazier, 3955 Highway 45, Cross, TMS #032-00-03-007, (1 lot), from GC, General Commercial District, to F-1 Agricultural District. Council District No. 7.

[Recommended **approval** by Staff]

[Recommended **approval** by Planning Commission]

Mr. Harold LeaMond pointed to the map and indicated the property location on Highway 45 and the road leading to the Cross Generating Plant. The applicant has no intention of using this property for commercial and requested that it be rezoned to agricultural.

It was moved by Council Member Pinckney and seconded by Council Member Steve Davis to approve, prior to First Reading, the request by **Anna Bell Frazier**. The motion was passed by unanimous voice vote of the Committee.

5. Request by Marvetta Perry-Grant for Elaine Myers, 226 Liberty Hall Road, Goose Creek, TMS #244-05-01-022, (1.35-acre portion, 2.7 acres total), from R-2, Manufactured Residential District, to RNC, Rural and Neighborhood Commercial District. Council District No. 3.

[Recommended **approval** by Staff]

[Recommended **approval** by Planning Commission]

Mr. LeaMond pointed to the property, highlighted in yellow on the map, which is located on Liberty Hall Road. Plans are for a beauty parlor to be located on this property.

It was moved by Council Member Mims and seconded by Council Member Steve Davis to approve, prior to First Reading, the request by **Marvetta Perry-Grant**. The motion was passed by unanimous voice vote of the Committee.

6. Request by Rutha L. Kinlock, 1025 Charity Church Road, Huger, TMS #248-00-02-004, (1 lot), from R-2, Manufactured Residential District, to RNC, Rural and Neighborhood Commercial District. Council District No. 8.

[Recommended **approval** by Staff]

[Recommended **approval** by Planning Commission – 4 Yes – 1 No]

Mr. LeaMond stated this property was located on Charity Church Road and Highway 98 in the Cainhoy Area. The applicant proposed to use the property for a childcare center.

It was moved by Council Member Steve Davis and seconded by Council Member Pinckney to approve, prior to First Reading, the request by **Rutha L. Kinlock**. The motion was passed by unanimous voice vote of the Committee.

7. **Request by Peter Washington**, 812 Oceanview Court, Wando, TMS #271-00-02-004, (1 lot), **from GC, General Commercial District, to R-1MM. Multi-Section Residential District.** Council District No. 8.

[Recommended **approval** by Staff]

[Recommended **approval** by Planning Commission)

Mr. LeaMond referred to the map and stated the property location on Highway 33 and the road to Daniel Island. This property was rezoned general commercial from residential in 1996, when the property had been obtained by the State Ports Authority to install the railroad spur. Since that time, plans have been withdrawn, and the applicant, the original owner of the property, was able to secure ownership once again.

It was moved by Council Member Steve Davis and seconded by Council Member Pinckney to approve, prior to First Reading, the request by **Peter Washington**. The motion was passed by unanimous voice vote of the Committee.

8. **Request by Ebony Lloyd Simmons** for Heirs of Clara Johnson, 1658 Highway 402, Moncks Corner, TMS #144-00-02-025, (1 acre portion, 14.5 acres total), **from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial District.** Council District No. 8.

[Recommended **approval** by Staff]

[Recommended **approval** by Planning Commission)

Mr. LeaMond stated the property highlighted in yellow would be used for a beauty salon.

It was moved by Council Member Steve Davis and seconded by Council Member Pinckney to approve, prior to First Reading, the request by **Ebony Lloyd Simmons**. The motion was passed by unanimous voice vote of the Committee.

9. **Request by Tyson Otts**, 341 Myers Road, Summerville, TMS #222-00-00-119, (5.01 acres portion, 10.02 acres total), **from PDMU, Planned District Mixed Use, to R-2, Manufactured Residential District.** Council District No. 4.

[Recommended **approval** by Staff]

[Recommended **approval** by Planning Commission)

Mr. LeaMond stated this property request was for a five-acre portion of a ten-acre lot. The Carnes Crossroad Mobile Home Trailer Park is adjacent to this property. The applicant would use the property for the location of two mobile homes.

It was moved by Council Member Charles Davis and seconded by Council Member Pinckney to approve, prior to First Reading, the request by **Tyson Otts**. The motion was passed by unanimous voice vote of the Committee.

B. Review prior to Second Reading of the following:

1. **Bill No. 04-44**, An ordinance authorizing the **sale** of a particular piece of land owned by Berkeley County, more particularly described as TMS #142-07-06-026, to the **Berkeley County Rescue Squad** and authorizing the Berkeley County Supervisor to execute any and all documents necessary to effectuate the transfer of said land.

It was moved by Council Member Mims and seconded by Council Member Steve Davis to approve, prior to Second Reading, **Bill No. 04-44**. The motion was passed by unanimous voice vote of the Committee.

C. Review prior to Third Reading of the following:

Berkeley County Council Rules allow all bills to be approved prior to Third Reading by one motion as a collective group. Any member may object to a particular bill, and it shall be separated from the collective group and handled by a separate motion.

Acting Chairman Spooner recommended that all bills for review prior to Third Reading, with the exception of Bill No. 04-26, be read by one motion.

1. **Bill No. 04-25**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Berkeley Properties, LLC**, 130 Oakley Road, Moncks Corner, TMS #180-00-01-048, (.964 acres), **from R-2, Manufactured Residential District, to GC, General Commercial District**. Council District No. 6.

3. **Bill No. 04-27**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **David Driggers**, Highway 17-A, Moncks Corner, TMS #180-00-03-062, (3.45 acres), **from R-2 Manufactured Residential District, to GC, General Commercial District**. Council District No. 6.

4. **Bill No. 04-28**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Raymond Lodge** for Hensley and Brown Properties, LLC, 2071 S. Live Oak Drive, Moncks Corner, TMS #180-00-03-061, (2 acres), **from R-2 Manufactured Residential District, to GC, General Commercial District**. Council District No. 6.

5. **Bill No. 04-29**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Greg Hood**, Bethera Road, Moncks Corner, TMS #087-00-04-023, (2.96 acres), **from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial District**. Council District No. 6.

6. **Bill No. 04-30**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **David Rogers**, 1305 N. Highway 52, Moncks Corner, TMS #123-00-03-054, (.73 acre portion of 8.98 acres total), **from GC, General Commercial District, and F-1, Agricultural District, to GC, General Commercial District**. Council District No. 8.

7. **Bill No. 04-31**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Suzie Brill**, 1749 S. Live Oak Drive, Moncks Corner, TMS #180-00-01-004, (3.88 acres), **from R-2, Manufactured Residential District, to RNC, Rural and Neighborhood Commercial District, (.76 acre portion), and F-1, Agricultural District, (3.12 acre portion)**. Council District No. 6.

8. **Bill No. 04-32**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Ligure Ellington, Jr.**, Cainhoy Road, Huger, TMS #239-00-00-052, (3.38 acres), **from R-2, Manufactured Residential District, to RNC, Rural and Neighborhood Commercial District**. Council District No. 8.

9. **Bill No. 04-33**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Barbara Starks**, 2914 N. Highway 52, Bonneau, TMS #057-00-01-056, (1 acre portion, 12.37 acres total), **from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial District**. Council District No. 8.

10. **Bill No. 04-34**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Frank Kinlaw**, 2563 Clements Ferry Road, Wando, TMS #271-00-02-035, (10.01 acres portion of 21.5 acres total), **from R-2, Manufactured Residential District, to GC, General Commercial District**. Council District No. 8.

It was moved by Council Member Steve Davis and seconded by Council Member Pinckney to approve, prior to Third Reading, **Bill Nos. 04-25, 04-27, 04-28, 04-29, 04-30, 04-31, 04-32, 04-33, and 04-34**. The motion was passed by unanimous voice vote of the Committee.

2. **Bill No. 04-26**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **John Jackson**, 107 Outbacks Lane, Moncks Corner, TMS #161-15-00-036, (1 lot), **from GC, General Commercial District, to F-1, Agricultural District**. Council District No. 6.

It was moved by Council Member Crosby and seconded by Council Member Charles Davis to approve, prior to Third Reading, **Bill No. 04-26**. The motion was passed by majority voice vote of the Committee. Council Member Mims abstained from voting.

It was moved by Council Member Steve Davis and seconded by Council Member Pinckney to adjourn the Committee on Land Use Meeting. This motion was passed by unanimous voice vote of the Committee.

Meeting adjourned at 7:51 p.m.

July 12, 2004
Date Approved

COMMITTEE ON LAND USE
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Chairman: Mr. Milton Farley, District No. 1

Members: Mrs. Judith K. Spooner, District No. 2
Mr. William E. Crosby, District No. 3
Mr. Charles E. Davis, District No. 4
Mr. Dennis Fish, District No. 5
Mrs. Judy C. Mims, District No. 6
Mr. Caldwell Pinckney, District No. 7
Mr. Steve C. Davis, District No. 8
Mr. James H. Rozier, Jr., Supervisor, ex officio

A **meeting** of the **COMMITTEE ON LAND USE**, Standing Committee of Berkeley County Council, will be held on **Monday June 14, 2004**, in the Assembly Room, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Comer, South Carolina, following the meeting of the Committee on Planning and Development, the Committee on Justice and Public Safety, the Committee on Human Services and the Committee on Community Services at **6:00 p.m.**

AGENDA

APPROVAL OF MINUTES

May 17, 2004

A. Consideration prior to First Reading of the following:
(Planning Commission Meeting – May 18, 2004)

1. Request by Charles Middleton for Goose Creek Industrial Investors, Highway 52, TMS # 224-00-01-001, (87.36 acres total) **from HI, Heavy Industrial District, to R-4, Multi Family District, Small Scale, (37.36 acres), and LI, Light Industrial District, (50.0 acres).** Council District No. 3.

[Recommended **denial** by Staff]

[Recommended **denial** by Planning Commission]

2. Request by L. B. Corbett, Jr. and Karen Dewitt, 1359 State Road, Summerville, TMS #209-06-00-026 (1.91 acres), **from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial District.** Council District No. 4.

[Recommended **approval** by Staff]

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3. Request by David Cooper, 2112 Hummingbird Lane, Summerville, TMS #207-00-01-012 (2.0 acre portion, 11.71 acres total) **from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial District.** Council District No. 7.

[Recommended **denial** by Staff]
[Recommended **denial** by Planning Commission]

(Planning Commission Meeting June 1, 2004)

4. Request by Anna Bell Frazier, 3955 Highway 45, Cross, TMS# 032-00-03-007, (1 lot), **from GC, General Commercial District, to F-1 Agricultural District**. Council District No. 7.

[Recommended **approval** by Staff]
[Recommended **approval** by Planning Commission]

5. Request by Marvetta Perry-Grant for Elaine Myers, 226 Liberty Hall Road, Goose Creek, TMS# 244-05-01-022, (1.35-acre portion, 2.7 acres total), **from R-2, Manufactured Residential District, to RNC, Rural and Neighborhood Commercial District**. Council District No. 3.

[Recommended **approval** by Staff]
[Recommended **approval** by Planning Commission]

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[Recommended **approval** by Staff]
[Recommended **approval** by Planning Commission – 4 Yes – 1 No]

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[Recommended **approval** by Staff]
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[Recommended **approval** by Staff]
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[Recommended **approval** by Staff]
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acre portion), and F-1, Agricultural District, (3.12 acre portion). Council District No. 6.

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June 9, 2004
S/Barbara B. Austin
Clerk of County Council